



**U.S. Department of Justice**

**Brett L. Tolman**

**United States Attorney  
District of Utah**

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**FOR IMMEDIATE RELEASE  
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**PRESS RELEASE**  
***UTAH U. S. ATTORNEY***  
***ANNOUNCES RESIGNATION***

***ACCOMPLISHMENTS INCLUDE EMPHASIS  
ON INTERNET CRIMES AGAINST CHILDREN,  
MORTGAGE FRAUD,  
OPENING BRANCH OFFICE IN ST. GEORGE***

SALT LAKE CITY – Brett L. Tolman announced today that he will resign from his position as United States Attorney for the District of Utah effective Dec. 31, 2009 or when a replacement is nominated by the President and confirmed by the U.S. Senate. U.S. Attorney Tolman was nominated by President George W. Bush on June 9, 2006, and confirmed by the United States Senate on July 21, 2006.

The District of Utah includes the entire state of Utah and several Indian nations. There are about 94 full-time employees in the U.S. Attorney's Office in Utah, an increase of eight full-time positions during Tolman's tenure as U.S. Attorney.

"Serving as the United States Attorney has been the highest honor and most fulfilling duty of my career. It has been a privilege to serve the citizens of Utah," U.S. Attorney Tolman said today. "I want to thank the staff of the U.S. Attorney's Office for its commitment to pursuing justice in every aspect of the work being done in the office. I also want to express my appreciation to our federal, state, local, and tribal law enforcement and prosecution partners for their extraordinary efforts in making our communities safe and bringing criminals to justice. It has been an honor to work with

each of you. I also thank the Utah congressional delegation, the Utah federal court judges, the United States Attorney General, and the President for this opportunity to serve.”

Prior to his appointment as U.S. Attorney, Tolman worked as an Assistant U.S. Attorney in Utah and was Counsel for Crime and Terrorism for the U.S. Senate Judiciary Committee from 2003 to 2006.

He is a member of the Attorney General’s Advisory Committee. The committee is designed to give United States Attorneys a voice in Department of Justice policies and to bring hands-on experience and perspective to the table in giving advice on Department initiatives.

“The FBI has received tremendous support from United States Attorney Brett Tolman during his tenure in office. His personal involvement in cases, as well as his leadership of the U.S. Attorney’s Office, has been instrumental in the success the FBI has enjoyed in a number of investigative programs and cases. Among them has been his strong support of the Native American artifacts case, several large mortgage fraud investigations, RICO prosecutions against Utah gangs, violent crimes on Indian reservations, and domestic terrorism cases. U.S. Attorney Tolman’s collaborative style employed in these and a variety of other cases, as well as his experience gained as a former prosecutor and Senate Judiciary Committee staff member, has given him a unique perspective on the work of the FBI. The FBI wishes him the best of success in any future professional endeavors,” said Tim Fuhrman, Special Agent in Charge of the FBI’s Salt Lake City Office.

“The citizens of Utah have been well-served by Brett Tolman and his staff. He understood the oath he took and fought everyday to abide by it. While others have surrendered to the vocal minority of legalizers, Brett has stayed the course and continued the fight against drug traffickers here and abroad. His vision, courage, and determination have yielded a safer Utah and a better quality of life for all Americans. During his tenure, Utah has emerged as a no-nonsense state with a clear understanding of both the law and the role of the federal criminal justice system in enforcing it. Brett’s colleagues at the DEA thank him for his support of our efforts and wish him Godspeed in his future endeavors,” Jeffrey D. Sweetin, Special Agent in Charge of the DEA, said today.

“U.S. Attorney Brett Tolman has worked tirelessly with law enforcement partners to combat crimes which affect the Utah community, such as identity theft,” said Phoenix Division Postal Inspector in Charge Pete Zegarac. “With his prosecutorial leadership, the Utah Identity Theft Task Force has been a success resulting in more than 350 federal prosecutions over the past four years. Postal Inspectors are proud to be a part of that team. We wish U.S. Attorney Tolman well in his future endeavors.”

“During his tenure as United States Attorney to the District of Utah, Mr. Tolman has been a true partner of law enforcement. His willingness to not only prosecute difficult cases but to actively participate with agencies in the investigation and

preparation of matters has been significant. Our recent success in reducing criminal activity and the impact of crime upon our society has been due in large part to the cooperative tone Mr. Tolman has set,” Chris Burbank, Salt Lake City Police Chief said today.

Thayle “Buzz” Nielsen, Chief of Police in West Valley City, praised Mr. Tolman for his support of local and state law enforcement agencies. “I want to personally thank him for his generous and tireless support of local and state law enforcement. Whether it was the great successes of Project Safe Neighborhoods, efforts to dismantle Utah gangs, or other quality of life issues in communities, Brett has always made the right choices, not necessarily the popular ones. As the noblest of professions, you have contributed greatly. Thank you for improving our quality of life in our neighborhoods,” Chief Nielsen said.

Sheriff Kirk Smith of Washington County said, “Soon after his appointment as U. S. Attorney for Utah, Brett recognized the unique challenges that we face here in Southern Utah. Despite challenging economic times, he courageously opened a branch United States Attorney's Office here in St. George. This allowed all Southern Utah law enforcement officers better access to prosecution of federal criminal offenses. From the beginning, Brett has worked hard to cultivate a positive working relationship with law enforcement throughout the State of Utah. On behalf of the Washington County Sheriff's Office, I want to thank Brett for all he's done for the citizens of the State of Utah and wish him good luck in all of his future endeavors.”

Examples of notable events and accomplishments during U.S. Attorney Tolman's service as U.S. Attorney in Utah include:

- The U.S. Department of Justice and Congress gave approval for the U.S. Attorney's Office in Utah to open a branch office in St. George in April 2008. Two federal prosecutor positions and two support staff positions were allocated for the new office. Several federal law enforcement agencies also stepped up with additional resources to serve the area.
- With Utah's ranking as a mortgage fraud hot spot in the country, U.S. Attorney Tolman and former Utah Gov. Jon Huntsman announced the formation of a Utah Mortgage Fraud Task Force in October 2007. Local, state, and federal agencies are combining efforts to target mortgage fraud schemes and networks in Utah.
- A decision was made to proceed with the indictment and federal prosecution of Bryan David Mitchell in the case involving the kidnapping of Elizabeth Smart.
- Physicians who illegally dispense controlled substances have been charged in federal indictments and convicted. For example, Dr. Warran R. Stack, who pleaded guilty in May 2009 to one count of conspiracy to commit distribution of a controlled substance, health care fraud and money laundering and two counts of health care fraud, is serving eight

years in federal prison. Dr. Paul Ray Taylor, who pleaded guilty to one count of distribution of oxycodone, is scheduled to be sentenced today in federal court. He admitted that between June 7 and Oct. 30, 2007, he provided oxycodone prescriptions to individuals with whom he did not have a legitimate doctor-patient relationship or with whom he did not conduct appropriate medical examinations.

- The investigation and federal prosecutions related to the disappearance of Kiplyn Davis continued in the U.S. Attorney's Office in coordination with the FBI, the Spanish Fork Police Department, and the Utah County Attorney's Office.
- Fines and restitutions collected by the Financial Litigation Unit in the U.S. Attorney's Office as a part of civil and criminal cases totaled more than \$5 million in fiscal year 2006; more than \$10 million in FY 2007; more than \$13 million in 2008; and almost \$8 million in FY 2009. This money goes to crime victims, either as direct restitution or through state grants for crime victims. The money collected as a part of civil cases comes from things like repayment of defaulted student loans, fire recovery costs, or other civil penalties.
- A two-year undercover operation resulted in the indictment of 24 individuals as a part of the nation's largest investigation of archaeological and cultural artifact thefts. The investigation targeted a network of individuals involved in the sale, purchase, and exchange of artifacts illegally taken from public or Indian lands in the Four Corners region.
- The U.S. Attorney's Office continued its prosecution of violent crimes originating on Native American lands in Utah and participates in training for tribal law enforcement officers and victim advocates. Alden Chee, an enrolled member of the Navajo Nation, is serving a 253-month sentence and supervised release for life after a jury found him guilty in October 2006 of aggravated sexual abuse while within Indian Country. The victim in the case had mental and physical handicaps. He was sentenced in March 2007. Harrison Begaye, also an enrolled member of the Navajo Nation, was sentenced in April 2009 to 25 years in prison and supervised release for life after pleading guilty to aggravated sexual abuse of a child while within Indian Country.
- The U.S. Attorney's Office has aggressively used federal tools such as the Hobbs Act (robbery), RICO statutes, and firearms laws to charge individuals involved in the commission of violent crimes or gang activities in Utah communities.
- Utah Project Safe Neighborhoods, a partnership between local, state, and federal agencies targeting gun violence in Utah communities, continues to send its "Hard Time for Gun Crime" message to those who are thinking about using firearms in the commission of violent crimes and to aggressively prosecute individuals who commit gun crimes.
- The U.S. Attorney's Office sought an indictment charging Warren Jeffs with unlawful flight to avoid prosecution.

- A multi-year investigation culminated in the indictment of 18 individuals (US v Brinton, et al) charged in connection with the alleged smuggling of pharmaceutical drugs into the United States from Mexico and then selling them over the Internet through unlicensed pharmacies to customers without prescriptions.
- The U.S. Attorney's Office continues to lead an aggressive Project Safe Childhood initiative targeting child internet predators with extraordinary assistance from local, state, and federal law partners. In one recent year, for example, 49 new child internet crime cases were filed and 51 defendants were sentenced to federal prison for terms ranging from 30 to 276 months.
- The U.S. Attorney's Office, the FBI's JTTF and local law enforcement partners worked in coordination with the U.S. Attorney's Office in Nevada in the prosecution of a case involving the production and possession of ricin. In Utah, Thomas Tholen admitted in October 2008 that he had knowledge that a federal felony had been committed – the production and possession of a biological agent – and failed to report the crime to authorities. Tholen was sentenced to 24 months of probation which included credit for giving substantial assistance to federal prosecutors and agents working on another case related to the ricin incident.
- The U.S. Attorney's Office hosted its annual regional Global Terrorism Conference, cosponsored by the FBI and the Utah Chiefs of Police Association, for local, state, and federal law enforcement officers and prosecutors. Presenters have included FBI Assistant Director John Miller, a former ABC anchor who has interviewed Osama Bin Laden; Lawrence Wright, author of "The Looming Tower: Al-Qaeda and the Road to 9/11;" and U.S. Attorney Patrick Fitzgerald of the Northern District of Illinois. This year, more than 400 attended the two-day conference in Salt Lake City.
- The U.S. Attorney's Office worked closely with ICE, the State Department and the Citizenship and Immigration Service on immigration-related cases, including a case involving Vietnamese nationals charged with violations of federal law in connection with a sophisticated marriage fraud scheme and the Focus on Children case involving fraud in the adoption of children from Samoa. And in July of this year, an indictment was unsealed charging the Alcala Law Firm, a property management company, and eight individuals with conspiracy to commit alien smuggling and visa fraud, encouraging and inducing illegal aliens to come to, enter, or remain in the United States and visa fraud.
- With plans moving ahead for the construction of a new federal courthouse in Salt Lake City, the U.S. Attorney's Office worked with GSA to acquire land to prepare for the new building, including the re-location of the Odd Fellows Hall.

- The U.S. Attorney's Office has aggressively pursued investigations and prosecutions of individuals involved in Ponzi schemes that victimize Utah investors.
- Collaborative efforts by the Utah Identity Theft Task Force to target identity theft cases in Utah have continued. As a part of this effort, over the last four years, more than 350 identity theft cases have been prosecuted in federal court in Utah.
- As a part of efforts to recover costs associated with fighting and suppressing wildfires on federal public lands, the U.S. Attorney's Office received funding for a fire recovery team.
- The Department of Justice awarded funding to the Salt Lake City Police Department and the Tides Center in California to support a Human Trafficking Task Force in Salt Lake City. The task force is engaged in identifying and assisting victims of human trafficking and apprehending and prosecuting those engaged in trafficking offenses.

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